

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, MAY 15, 2006**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, May 15, 2006, with President Gray presiding.

Councillor Cain led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*1 ABSENT: Langsford*

A quorum of twenty-eight members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

President Gray stated that an Indianapolis Police Department officer is here to model the new metropolitan law enforcement agency new Class A uniforms. Councillor Bradford asked how much these uniforms will cost taxpayers. President Gray said that when he receives notes on that subject, he will inform Council members. Councillor Randolph said that it will cost over \$1 million for new uniforms.

## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 15, 2006, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Monroe Gray  
President, City-County Council

April 24, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, April 26, 2006, a copy of a Notice of Public Hearing on Proposal Nos. 240-242 and 245, 2006, said hearing to be held on Monday, May 15, 2006, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

May 1, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, May 5, 2006, a copy of a Legal Notice of General Ordinance No. 36, 2006.

Respectfully,  
Jean Ann Milharcic  
Clerk of the City-County Council

April 25, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 35, 2006 – approves an appropriation of \$900,000 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Consolidated County Fund) to award funding from the Housing Trust, a subfund of the Consolidated County Fund, for affordable housing opportunities for low-income families in Marion County, financed by fund balance

FISCAL ORDINANCE NO. 36, 2006 – approves an appropriation of \$792,000 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Redevelopment General Fund) to support high technology activities within the Certified Technology Park (CTP), which funds will specifically be used to make streetscape improvements along West 16th Street between Alonzo Watford Drive and Stadium Drive and for improvements to the combined sanitary and stormwater sewer between

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10th and 11th Streets near Senate Avenue, financed by fund balance in the Certified Technology Park subfund of the Redevelopment General Fund

FISCAL ORDINANCE NO. 37, 2006 – approves an appropriation of \$518,820 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Federal Grants Fund) to reappropriate carryover funds from a prior year grant from the US Department of Housing and Urban Development (HUD) for Housing Opportunities for Persons with Aids (HOPWA), and for a new Neighborhood Initiatives grant also funded by HUD

FISCAL ORDINANCE NO. 38, 2006 – approves an appropriation of \$195,317 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Non-lapsing State Grants Fund) to administer five State of Indiana grants providing for 1) petroleum remediation at 838 North Delaware Street, 2) environmental assessment activities within the neighborhoods of Martindale/Brightwood, Fall Creek Place, and Clayton-LaSalle Park, 3) environmental remediation at the Keystone Enterprise Park, 4) environmental remediation at the former Spickelmier concrete manufacturing site, and 5) additional environmental assessments at West 16th and Dr. Martin Luther King Streets

FISCAL ORDINANCE NO. 39, 2006 – approves an increase of \$2,500,000 in the 2006 Budget of the Department of Public Safety, Fire Division (City Cumulative Capital Fund) to purchase fire apparatus, financed by fund balance

FISCAL ORDINANCE NO. 40, 2006 – approves an increase of \$500,000 in the 2006 Budget of the Department of Public Safety, Police Division (State Law Enforcement Fund) to purchase vehicles, financed by state forfeiture revenues

FISCAL ORDINANCE NO. 41, 2006 – approves the transfer and new appropriation of \$662,993 in the 2006 Budget of the Department of Public Safety, Emergency Management Planning Division (Non-lapsing Federal Grants Fund) to fund a contract with the Marion County Health and Hospital Corporation to implement the Metropolitan Medical Response System, financed by a transfer between characters for an existing grant and new 2006 appropriations from fund balance

FISCAL ORDINANCE NO. 44, 2006 – approves a transfer of \$90,000 in the 2006 Budget of the Marion County Election Board (County General Fund) to cover the projected shortfall in supplies and services for the primary election, financed by a transfer between characters

FISCAL ORDINANCE NO. 45, 2006 – approves an appropriation of \$20,485 in the 2006 Budget of the Marion County Public Defender Agency (County Grants Fund) to fund a portion of a contract between the Marion County Public Defender Agency and the Midtown Community Mental Health Center, for mental health and addiction services for inmates in the Marion County Jail and the Wishard Hospital Detention Unit, financed by a grant from Drug Free Marion County

GENERAL ORDINANCE NO. 36, 2006 - clarifies and establishes fees for various inspections and services provided by the Indianapolis Fire Department, and converts from service charges to civil penalties the amounts imposed for the issuance of an excessive number of false fire alarms

GENERAL ORDINANCE NO. 37, 2006 – authorizes intersection controls for the Crooked Creek Villages West Subdivision, Section 7 (District 2)

GENERAL ORDINANCE NO. 38, 2006 – authorizes intersection controls for the Hawthorne Meadows Subdivision, Section 1 (District 1)

GENERAL ORDINANCE NO. 39, 2006 – authorizes intersection controls for the intersection of 88th Street and Cholla Road (District 3)

GENERAL ORDINANCE NO. 40, 2006 – authorizes intersection controls for the intersection of Sherman Drive and Sunny Lane (District 4)

GENERAL ORDINANCE NO. 41, 2006 – authorizes a change in intersection controls for the intersection of 42nd Place and Aspen Way (District 12)

GENERAL ORDINANCE NO. 42, 2006 – authorizes a multi-way stop at the intersection of 25th Street and Pennsylvania Street (District 15)

GENERAL ORDINANCE NO. 43, 2006 – authorizes multi-way stops at the intersections of 23rd Street and Talbott and 24th Street and Talbott (District 15)

GENERAL ORDINANCE NO. 44, 2006 – authorizes parking meters on East Street between Wabash Street and Ohio Street (District 15)

GENERAL ORDINANCE NO. 45, 2006 – authorizes parking restrictions on Harlan Street between Spann Avenue and English Avenue (District 16)

GENERAL ORDINANCE NO. 46, 2006 – authorizes intersection controls for the Bells Run Subdivision, Section 1 (District 18)

GENERAL ORDINANCE NO. 47, 2006 – authorizes intersection controls for the intersection of Boyd Avenue and Gimber Street (District 20)

GENERAL ORDINANCE NO. 48, 2006 – authorizes a change in the speed limit on Hanna Avenue between Brushwood Road and Lynhurst Drive (District 22)

GENERAL ORDINANCE NO. 49, 2006 – authorizes a change in intersection controls for the intersection of Cresthaven Drive and Moonglow Lane (District 23)

GENERAL ORDINANCE NO. 50, 2006 - provides a fifth week of vacation for Indianapolis Police Officers hired after 1984 after 20 years of service

GENERAL RESOLUTION NO. 4, 2006 – approves the issuance of one or more series of Indianapolis Public Safety Communication Systems and Computer Facilities District notes in an aggregate principal amount not to exceed \$5,000,000, and approves and authorizes other actions in respect thereto

GENERAL RESOLUTION NO. 5, 2006 - authorizes the Department of Public Works to test new parking meter technology on designated City streets notwithstanding certain provisions of the Revised Code regarding parking meters (Districts 3, 15)

SPECIAL ORDINANCE NO. 3, 2006 - authorizes the City of Indianapolis to amend certain provisions of the City of Indianapolis, Indiana Economic Development Revenue Refunding Bonds (Lockefield Associates, L.P. Project), Series 1996A, approving amendments to the Financing Agreement and Indenture with respect thereto and approves and authorizes other actions in respect thereto

SPECIAL RESOLUTION NO. 23, 2006 - honors IBEW Local 481 on the celebration of their 100th Anniversary

SPECIAL RESOLUTION NO. 24, 2006 – recognizes the hard work and dedication of County Human Resource Administrator Sara Logsdon

SPECIAL RESOLUTION NO. 25, 2006 – recognizes the efforts of the American Legion National High School Oratorical Contest

SPECIAL RESOLUTION NO. 26, 2006 – recognizes Dr. E.B. Carver on his many accomplishments during his tenure as the superintendent of Franklin Township Community Schools

SPECIAL RESOLUTION NO. 27, 2006 – honors the Lawrence North High School Boys Basketball team for winning their 3rd State title

SPECIAL RESOLUTION NO. 28, 2006 – recognizes Mark Renner for his significant contributions to government

SPECIAL RESOLUTION NO. 29, 2006 – recognizes Mary J. Harrison

SPECIAL RESOLUTION NO. 30, 2006 - honors Telecommunicators, more commonly referred to as Dispatchers

Respectfully,  
s/Bart Peterson, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of April 17, 2006. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 260, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 260, 2006 on April 18, 2006. The proposal, sponsored by Councillors Gray, Borst, Boyd, Sanders and Talley, approves the Mayor's appointment of Ellen White Quigley as the Deputy Mayor for Community Affairs for a term ending December 31, 2006 and until a successor is appointed and confirmed. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Gibson, for adoption. Proposal No. 260, 2006 was adopted by a unanimous voice vote.

Proposal No. 260, 2006 was retitled COUNCIL RESOLUTION NO. 67, 2006, and reads as follows:

### **CITY-COUNTY COUNCIL RESOLUTION NO. 67, 2006**

A COUNCIL RESOLUTION approving the Mayor's appointment of Ellen White Quigley as the Deputy Mayor for Community Affairs for a term ending December 31, 2006, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Deputy Mayor for Community Affairs is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Ellen White Quigley to serve as Deputy Mayor for Community Affairs at his pleasure for a term ending December 31, 2006; now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Ellen White Quigley is approved and confirmed by the City-County Council to serve as Deputy Mayor for Community Affairs for a term ending December 31, 2006, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 299, 2006. The proposal, sponsored by Councillors Pfisterer, Salisbury and McWhirter, recognizes the Ben Davis High School Marching Band. Councillors Pfisterer and McWhirter read the proposal and presented representatives with copies of the document and Council pins. Councillor Pfisterer moved, seconded by Councillor McWhirter, for adoption. Proposal No. 299, 2006 was adopted by a unanimous voice vote.

Proposal No. 299, 2006 was retitled SPECIAL RESOLUTION NO. 31, 2006, and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 31, 2006**

A SPECIAL RESOLUTION recognizing the Ben Davis High School Marching Band.

WHEREAS, the Ben Davis High School Band celebrates over 65 years of a Tradition of Excellence and is one of the largest bands in Indiana; and

WHEREAS, the band has won the Indiana State Field Show Championship nine times and the Indiana State Fair Marching contest five times; and

WHEREAS, the band has performed for six United States Presidents, represented the State of Indiana for the 1960 and 1984 Presidential Inaugurations, has marched in the “500” Festival Parade every third year since 1957, and has performed on national television for the “Indianapolis 500’s” First Day of Qualifications from 1982-1996; and

WHEREAS, the band was the Open Division Champion at the Marching Bands of America (MBA) Grand National Championship in 1983 and performed for 450 million people for the Tournament of Roses Parade that was telecast to over 60 countries worldwide; and

WHEREAS, the band has performed in 18 major activities all over the world from 1970 – 2002, which included appearing in a special performance in Honolulu, Hawaii and touring Oahu and Maui and also performing in the Magic Kingdom Parade Tour in Miami and Orlando, Florida; and

WHEREAS, the organization’s excellence has been awarded with numerous awards and honors including an invitation to participate in the 117<sup>th</sup> annual Rose Parade, of which the Ben Davis Marching Giants are one of only 25 marching bands and the only band from Indiana chosen to participate in the historic event; and

WHEREAS, the Governor of the State of Indiana, Mitch Daniels, proclaimed November 2, 2005 as Ben Davis Marching Giants Day; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Ben Davis High School Band on its many historic accomplishments over 65 years.

SECTION 2. The Council heartily congratulates the Marching Giants on being the only band from Indiana chosen to participate in the annual Rose Parade.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 300, 2006. The proposal, sponsored by Councillors Brown and Talley, celebrates Warren Central Speech Team's first State Championship since 1967. Councillor Talley read the proposal and presented representatives with copies of the document and Council pins. Tilly Oliver, team mother, thanked the Council for the recognition. Councillor Talley moved, seconded by Councillor Brown, for adoption. Proposal No. 300, 2006 was adopted by a unanimous voice vote.

Proposal No. 300, 2006 was retitled SPECIAL RESOLUTION NO. 32, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 2006

A SPECIAL RESOLUTION celebrating Warren Central Speech Team’s first State Championship since 1967.

WHEREAS, the Warren Central Speech Team consists of 45 students and is lead by nine-year coach Scott Black; and

WHEREAS, the team has been in the top five since 2002 and won runner-up in 2005; and

WHEREAS, this year the team won the Speech tournaments against Southport High School, Logansport High School, Ft. Wayne Northrop High School, North Central High School, and Plymouth High School, and came in second place against Munster High School; and

WHEREAS, the Warren Central Speech Team has won its sixth straight Sectional Tournament and was awarded Indiana High School Forensic Association’s State Champion in 2006; and

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WHEREAS, Warren Central has qualified more students to go to the State Final in the last three years than any other school in the state; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Mr. Black and the Warren Central Speech Team on its many accomplishments throughout the year.

SECTION 2. The Council heartily congratulates the team on its first State Championship since 1967.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 301, 2006. The proposal, sponsored by Councillors Cockrum and Talley, recognizes the 2006 Indianapolis Star's Indiana Academic All-Stars from Marion County. Councillor Cockrum read the proposal and presented representatives with copies of the document and Council pins. Councillor Gibson asked the students to share their college/future plans. Councillor Cockrum moved, seconded by Councillor Talley, for adoption. Proposal No. 301, 2006 was adopted by a unanimous voice vote.

Proposal No. 301, 2006 was retitled SPECIAL RESOLUTION NO. 33, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 2006

A SPECIAL RESOLUTION recognizing the 2006 Indianapolis Star's Indiana Academic All-Stars from Marion County.

WHEREAS, the Indianapolis Star Academic All-Stars program is a partnership of the Indianapolis Star, the Indiana Department of Education and the Indiana Association of School Principals; and

WHEREAS, for 20 years, the Indianapolis Star has opened the competition for all high schools accredited by the Indiana Department of Education to nominate one senior for consideration as an Academic All-Star; and

WHEREAS, the nominees are selected based on a student's academic courses, academic achievement, extracurricular activities related to academics, nonacademic extracurricular activities, community service and involvement, leadership, and a combination of the student's SAT/ACT composite score and grade-point average for seven semesters; and

WHEREAS, 249 nominations were submitted resulting in 88 regional winners competing for the 40 Academic All-Star spots in which Ryan Callahan (Pike High School), Eva D'Ambrosio (Broad Ripple H.S.), Zvi Effron (North Central H.S.), Matt Giffin (Brebeuf Jesuit), Katherine Jane Langdon (Lawrence North H.S.), Jack McCarthy (Lawrence Central H.S.), and Cari Rank (Cardinal Ritter H.S.) were all rewarded with an Academic All-Star plaque in honor of their achievements; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the great achievements and many accomplishments of the Academic All-Stars of Marion County.

SECTION 2. The Council heartily congratulates Ryan Callahan, Eva D'Ambrosio, Zvi Effron, Matt Giffin, Katherine Jane Langdon, Jack McCarthy, and Cari Rank on a job well done and wishes each student the best in their future goals.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 302, 2006. The proposal, sponsored by All Councillors, recognizes Heather Fultz-Smith for 13 years of hard work and dedication to the City-County Council. Councillor Borst stated that Ms. Smith's daughter is sick this evening and she could not attend. He moved, seconded by Councillor Talley, to postpone the proposal until she can attend. Proposal No. 302, 2006 was postponed by a unanimous voice vote.

PROPOSAL NO. 303, 2006. The proposal, sponsored by Councillors Mansfield, Moriarty Adams, Nytes and Brown, recognizes St. Vincent Hospital for 125 years of service to the Indianapolis community. Councillor Mansfield read the proposal and presented representatives with copies of the document and Council pins. Sisters Katherine Kennedy and Lucille Murphy, Daughters of Charity, thanked the Council for the recognition and gave a brief history. Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 303, 2006 was adopted by a unanimous voice vote.

Proposal No. 303, 2006 was retitled SPECIAL RESOLUTION NO. 36, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 2006

A SPECIAL RESOLUTION recognizing St. Vincent Hospital for 125 years of service to the Indianapolis community.

WHEREAS, on April 26, 1881, four Daughters of Charity came to Indianapolis with only \$34.77 in their pockets to start a hospital and their mission was as follows: "We have a mission, a reason for being here. To keep health care human, human for our patients, human for our families, human for our doctors and human for all associates. The poor will come and the rich will come, if they know they are going to be treated as people"; and

WHEREAS, the four Sisters converted an abandoned seminary on East Vermont Street in downtown Indianapolis to a hospital that is now known as St. Vincent Indianapolis Hospital; and

WHEREAS, St. Vincent Indianapolis Hospital is a major contributor to the Indianapolis economy, employing 5,392 associates with a total payroll of \$280,100,000 and in 2005 provided \$62,600,000 in charity care; and

WHEREAS, today, St. Vincent Indianapolis Hospital is a part of St. Vincent Health, one of the largest health systems in Indiana with 16 facilities, employing over 11,000 associates and providing \$92 million in charity care throughout Central Indiana; and whose mission is to serve the health needs of those who are sick and underserved; and

WHEREAS, St. Vincent Indianapolis Hospital is an extraordinary community benefactor, supporting those who are most in need through programs such as: Unity Development Center – supporting children in the King Park neighborhood through after-school tutoring and sports activities; Jubilee Center – partnership with Tabernacle Presbyterian Church providing social services support to low-income families; Providing school nurses in the Washington Township Schools, Operating 2 Marion County Health Department BABE Stores providing maternity and baby supplies as an incentive for keeping prenatal doctor appointments; Financially supporting and operating the Pecar Clinic BABE Store, staffed with a bi-lingual manager; Crooked Creek Multiservice Center – St. Vincent partners with this agency to provide job readiness through its S.T.A.R. program; Primary Care Clinic – accommodating 60,000 office visits a year for those with little or no health insurance and providing bi-lingual services and other support programs for patients and families; as well as other programs and supports numerous social and human services agencies through its charity care grants; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the extraordinary contributions of St. Vincent Indianapolis Hospital and St. Vincent Health to the residents of Indianapolis and heartily commends the health system for its 125 years of dedication to caring for the sick, particularly those who are poor and vulnerable, in body, mind and spirit.



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SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 304, 2006. The proposal, sponsored by Councillors Sanders, Langsford and Talley, supports grant applications to Preserve America. Councillor Sanders read the proposal and moved for adoption. Councillor Talley seconded the motion, and Proposal No. 304, 2006 was adopted by a unanimous voice vote.

Proposal No. 304, 2006 was retitled COUNCIL RESOLUTION NO. 69, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 2006

A COUNCIL RESOLUTION in support of grant applications to Preserve America.

WHEREAS, Preserve America recognizes outstanding historic communities and neighborhoods, with viable heritage tourism potential, preservation efforts, and partnerships to achieve such results; and

WHEREAS, on March 9, 2006, the Preserve America program designated Irvington as one of the first five neighborhoods in the country to be so recognized; and

WHEREAS, such designation brings with it the opportunity to apply for Federal grants to augment the preservation and heritage tourism efforts in areas such as Irvington; and

WHEREAS, the Historic Irvington Community Council, Irvington Historical Society, Irvington Development Organization, and the City of Indianapolis have agreed to cooperate in preservation projects related to such a grant; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes and supports these groups in seeking funds from the Preserve America program.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 305, 2006. The proposal, sponsored by Councillors Schneider and Talley, recognizes Thursday, May 4, 2006, National Day of Prayer. Councillor Schneider read the proposal and moved, seconded by Councillor Talley, for adoption. Proposal No. 305, 2006 was adopted by a unanimous voice vote.

Proposal No. 305, 2006 was retitled COUNCIL RESOLUTION NO. 70, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 70, 2006

A COUNCIL RESOLUTION recognizing Thursday May 4, 2006, National Day of Prayer.

WHEREAS, throughout the history of America, our people have offered prayers of thanksgiving for our God-given rights and the blessings which we enjoy, as well as prayers for guidance, comfort, and protection; and

WHEREAS, in times of joy and times of peril, our Presidents, from George Washington to George W. Bush have called upon Americans to pray to our Creator; and

WHEREAS, observance of a National Day of Prayer was first declared by the Continental Congress in 1775; and

WHEREAS, the United States Congress in 1952 and again in 1988 reconfirmed this observance by proclaiming the first Thursday of May of each year as a National Day of Prayer; and

WHEREAS, the theme of the May 4, 2006 National Day of Prayer is "America, Honor God", taken from 1 Samuel, and as the war in Iraq continues, we are encouraged to pray for our troops defending freedom everywhere; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council encourages our citizens to observe this day individually, as families, and as a community by joining their fellow citizens in praying for God's continuing guidance, comfort and protection of our Nation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 224, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 224, 2006 on April 18, 2006. The proposal, sponsored by Councillors Borst, Talley, Nytes, Keller, Pfisterer and Randolph, encourages City-County government, Municipal Corporations, excluded cities, and township governments to work together to develop a comprehensive five-year plan, project budgets, analyze existing revenue trends, and explore alternative solutions to provide services to the taxpayers. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst stated that this proposal changed form in the committee and is not exactly what he wanted, but is better than nothing. He said that there has previously been no one place to find out what all the City and County fiscal needs are, and with over \$100 million in needs, it is best for it to all be reported in one place.

Councillor Boyd moved, seconded by Councillor Gibson, for adoption. Proposal No. 224, 2006 was adopted by a unanimous voice vote.

Proposal No. 224, 2006 was retitled SPECIAL RESOLUTION NO. 34, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 2006

A SPECIAL RESOLUTION to encourage City-County government, Municipal Corporations, excluded cities, and township government continue to work together and develop a comprehensive five-year plan, project budgets, analyze existing revenue trends, and explore alternative solutions to providing services to the taxpayers.

WHEREAS, City-County township governments, excluded cities, and Municipal Corporations continue to provide necessary services to taxpayers in the face of diminishing resources; and

WHEREAS, State mandates on welfare funding, Department of Correction juvenile charges, public safety pensions, property tax replacement credits, property tax levies, abolishment of the inventory tax, and air and water quality standards are major pressures on local government budgets; and

WHEREAS, the consolidated city has used its limited resources to combat crime rate; address the issue of jail overcrowding; and minimize the early release of prisoners; and has committed hundreds of millions of dollars to improve the County's sewer and drainage systems; and

WHEREAS, the Indianapolis-Marion County public library is confronted with increased costs of expansion due to unforeseen construction cost; and

WHEREAS, the Indianapolis Public Transportation Corporation needs to expand IndyGo routes, and the consolidated city as a whole is addressing mass transit; and

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WHEREAS, while many groups are trying to address Marion County funding needs, there is no one comprehensive analysis or plan; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Fiscal staff consisting of the Controller (Convenor of the group), Director of the Bond Bank, Director of Public Safety, CFO of the Department of Public Works, City-County Council fiscal staff, the Auditor, Sheriff CFO, Prosecutor CFO, Judiciary CFO, Public Defender CFO, Indianapolis-Marion County Public Library CFO, IndyGo CFO, Health & Hospital CFO, a representative of township trustees, and a representative of excluded cities need to develop a comprehensive financial needs assessment identifying critical needs for the next five years, need to identify each agency's funding sources and project them for the next five years, analyze maximum funding for property taxes and local option income taxes, identify other possible funding sources, identify effects of the State cap on property tax replacement credits and the loss of inventory tax, and determine the gap between the needs and identified funding for the next five years, with an emphasis on providing necessary services in the most efficient, cost effective manner.

SECTION 2. As law enforcement consolidation progresses, immediate savings from efficiencies, streamlining, and collaboration have been and will continue to be identified. The Sheriff (Convenor of the group), the Director of Public Safety, the IPD Chief, Fraternal Order of Police representatives, and excluded cities need to continue to work together for additional 2006 savings.

SECTION 3: Convened by the Director of Public Safety, the IFD Chief, township fire chiefs and trustees, Fire Union representatives, excluded cities, and township representatives need to continue to work together, look at savings, streamlining, and efficiencies for fire stations, apparatus, manpower, and training, including possible collaboration and consolidation.

SECTION 4: The Marion County Criminal Justice Planning Council should continue their good effort to find streamlining savings, efficiencies, and revenues for the criminal justice system.

SECTION 5. Each person or body convener shall be responsible for providing administrative assistance, written minutes and the generation of reports or summaries of the particular groups' findings.

SECTION 6. A final report from each of the above groups should be submitted to the City-County Council CFO by July 15, 2006.

SECTION 7. The Council CFO and support staff approved by the Council President shall reconcile the reports received from the working groups and produce a consolidated report. The consolidated report may suggest proposed city-county ordinances and state legislation necessary to implement the recommendations of the groups convened and made a part of the consolidated report. The Council CFO shall submit the consolidated report to the Rules and Public Policy Committee of the Council by August 15, 2006.

SECTION 8. Convened by the Mayor, City-County, excluded cities and townships, executive, legislative, and judicial officials need to join together to lobby for State legislative and policy changes to address Marion County's ability to continue to provide taxpayer services in the most efficient, cost effective manner.

SECTION 9. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 10. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Boyd stated that the Rules and Public Policy Committee heard Proposal Nos. 149 and 220, 2006 on April 18, 2006. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 149, 2006. The proposal, sponsored by Councillors Gray and Conley, appoints Joe Long to the Common Construction Wage Committee for Lawrence Township. PROPOSAL NO. 220, 2006. The proposal, sponsored by Councillors Gray, Conley and Brown, appoints J. Ward Daniels to the Common Construction Wage Committee for Pike Township. Councillor

Boyd stated that background checks have not yet been completed on these appointees, and he moved, seconded by Councillor Conley, to postpone the proposals until such can be completed. Proposal Nos. 149 and 220, 2006 were postponed by a unanimous voice vote.

PROPOSAL NO. 166, 2006. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 166, 2006 on May 3, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Phyllis A. Carr to the Urban Enterprise Association Board of Directors. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Nytes explained that Ms. Carr's attendance was a little low last year due to her father's death, but she assured committee members that she has the time to serve and is committed. Councillor Cockrum said that the entire board's attendance needs to be reviewed, as only five members have an attendance record of 70% or more. He said that it is hard to maintain a quorum at meetings with these attendance rates. Councillor Nytes said that the board has been struggling to find a future and has undergone some re-organization, which should address the quorum problem.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 166, 2006 was adopted by a unanimous voice vote.

Proposal No. 166, 2006 was retitled COUNCIL RESOLUTION NO. 71, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 2006

A COUNCIL RESOLUTION reappointing Phyllis A. Carr to the Urban Enterprise Association Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Urban Enterprise Association Board of Directors, the Council reappoints:

Phyllis A. Carr

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009.

PROPOSAL NO. 186, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 186, 2006 on April 19, 2006. The proposal, sponsored by Councillors Gray, Conley and Brown, reappoints Rondle W. Brewer to the Marion County Community Corrections Advisory Board as a representative of the offender community. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal No. 186, 2006 was adopted by a unanimous voice vote.

Proposal No. 186, 2006 was retitled COUNCIL RESOLUTION NO. 72, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 2006

A COUNCIL RESOLUTION reappointing Rondle W. Brewer to the Marion County Community Corrections Advisory Board as a representative of the offender community.

*May 15, 2006*

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council reappoints:

Rondle W. Brewer

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009.

PROPOSAL NO. 243, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 243, 2006 on April 19, 2006. The proposal, sponsored by Councillors Moriarty Adams, Gray, Talley and Brown, reappoints Les Duval to the Marion County Community Corrections Advisory Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 243, 2006 was adopted by a unanimous voice vote.

Proposal No. 243, 2006 was retitled COUNCIL RESOLUTION NO. 68, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 2006

A COUNCIL RESOLUTION reappointing Les Duval to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Les Duval

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2009. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 244, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 244, 2006 on April 19, 2006. The proposal, sponsored by Councillors Moriarty Adams, Gray, Brown and Talley, appoints Adrienne Holmes to the Marion County Community Corrections Advisory Board. Councillor Moriarty Adams stated that this appointee has not yet undergone a background check. She moved, seconded by Councillor Talley, to postpone Proposal No. 244, 2006 until a background check can be performed. Proposal No. 244, 2006 was postponed by a unanimous voice vote.

PROPOSAL NO. 246, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 246, 2006 on April 27, 2006. The proposal, sponsored by Councillors Conley, Gray and Talley, appoints Clarence Crain to the Board of Public Works. Councillor Conley stated that this appointee has not yet undergone a background check. He moved, seconded by Councillor Talley, to postpone Proposal No. 246, 2006 until a background check can be performed. Proposal No. 246, 2006 was postponed by a unanimous voice vote.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 275, 2006. Introduced by Councillors Sanders, McWhirter, Conley, Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,100,000 in the 2006 budget of the Marion County Treasurer (County General Fund) for the expected investment interest expense that will exceed the current appropriations (The increased investment activity of the Treasurer will lead to increased investment revenue to offset the additional investment interest expense.); and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 276, 2006. Introduced by Councillors Sanders and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code for the purpose of clarifying regulations regarding the requirements for registration to use sidewalk sales areas"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 277, 2006. Introduced by Councillors Brown, Sanders, Talley, McWhirter and Plowman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$1,880,080 to the Information Services Agency (Information Services Internal Service Fund) to provide funding for a city-county enterprise-wide upgrade of the Microsoft Windows Operating System, including Outlook Exchange and Office Professional 2003, financed by fund balance"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 278, 2006. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to extend the date on which the metropolitan law enforcement agency shall provide law enforcement services for the consolidated city from January 1, 2007 through and including January 1, 2008"; and the President referred it to the Law Enforcement Consolidation Committee.

PROPOSAL NO. 279, 2006. Introduced by Councillors Franklin and Randolph. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to provide for pay parity on the effective date of the Metropolitan Law Enforcement Agency pursuant to City-County General Ordinance No. 110, 2005 (Proposal No. 627, 2005)"; and the President referred it to the Law Enforcement Consolidation Committee.

PROPOSAL NO. 280, 2006. Introduced by Councillors Moriarty Adams and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates a total of \$544,550 to the Marion County Justice Agency for the Metro Drug Task Force (\$244,550) and for an analysis of the juvenile detention system (\$300,000) financed by grants from the Indiana Criminal Justice Agency and from the Annie E. Casey Foundation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 281, 2006. Introduced by Councillors Moriarty Adams, Borst, Talley and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$175,000 in the 2006 budget of the Marion County Superior Court (Cumulative Capital Improvement Fund) to pay for capital improvements at the Marion County Juvenile Detention Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 282, 2006. Introduced by Councillors Moriarty Adams, Borst and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$613,916 in the 2006 Budget of the Marion County Superior Court (State and Federal

Grants Fund) to pay for the Juvenile Drug Treatment program, the Transitional Assistance Service program for juvenile girls, and the Drug Treatment Court, funded by the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 283, 2006. Introduced by Councillors Moriarty Adams, Borst and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$152,290 in the 2006 Budget of the Marion County Superior Court (State and Federal Grants Fund) to pay for the Young Offenders program and expenses for the Community Court, funded by the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 284, 2006. Introduced by Councillors Moriarty Adams and Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$3,654 in the 2006 Budget of the Marion County Superior Court (Alcohol and Drug Services Fund) to pay for drug testing supplies and completes the transfer initiated in Fiscal Ordinance No. 32, 2006"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 285, 2006. Introduced by Councillors Moriarty Adams, Talley and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$71,262 in the 2006 Budget of the Marion County Sheriff (State and Federal Grants Fund) to pay for expenses related to crime prevention"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 286, 2006. Introduced by Councillors Moriarty Adams, Talley and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$11,566 in the 2006 Budget of the Marion County Sheriff (State and Federal Grants Fund) to pay for 29 body armor vests, funded by a grant from the Bureau of Justice Assistance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 287, 2006. Introduced by Councillors Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$196,445 in the 2006 Budget of the Department of Public Safety, Police Division (Federal Grants and Non-Lapsing Federal Grants Funds) to appropriate six federal grants and to transfer funds between characters for another federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 288, 2006. Introduced by Councillors Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$34,634 in the 2006 Budget of the Department of Public Safety, Emergency Management Planning Division (Non-Lapsing Federal Grants Fund) to reimburse the Indianapolis Airport Authority, Indianapolis Public Transportation Corporation and the Emergency Management Division for expenses incurred in 2005 during Hurricane Katrina relief efforts, financed by funds provided by the U.S. Department of Homeland Security"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 289, 2006. Introduced by Councillors Moriarty Adams, Brown, Gray, Conley, Talley and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$620,421 in the 2006 Budget of the Department of Public Safety, Fire Division (Federal Grants and Non-Lapsing Federal Grants Funds), to fund the Urban Search and Rescue (USAR) Task Force operations for 2006-2007, to restore a contingency budget for

future USAR deployments, and to purchase supplies, financed by grants from the U.S. Department of Homeland Security/Federal Emergency Management Agency and transfers between characters"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 290, 2006. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to eliminate the Department of Public Safety and to transfer the functions of the said department and its director to the Office of the Public Safety Advisor and public safety advisor"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 291, 2006. Introduced by Councillors Moriarty Adams, Keller, Mahern and Conley. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the Department of Waterworks to conclude the sale of certain assets in the Town of Darlington, Montgomery County, to Aqua Indiana, Inc."; and the President referred it to the Public Works Committee.

PROPOSAL NO. 292, 2006. Introduced by Councillors Moriarty Adams, Keller, Mahern and Conley. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the Department of Waterworks to conclude the sale of certain assets in Clay Township, Hamilton County, to the City of Carmel"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 293, 2006. Introduced by Councillors Speedy and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Southport Trace Subdivision (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 294, 2006. Introduced by Councillors Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Councillor Marilyn Pfisterer as a member of the Early Intervention Planning Council"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 295, 2006. Introduced by Councillors Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Councillor Vernon Brown as a member of the Early Intervention Planning Council"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 296, 2006. Introduced by Councillors Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Kent Burrow as a member of the Early Intervention Planning Council"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 297, 2006. Introduced by Councillors Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Rita Akins as a member of the Early Intervention Planning Council"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 298, 2006. Introduced by Councillors Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Patricia Jones as a



member of the Early Intervention Planning Council"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 306, 2006. Introduced by Councillors Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Maryann Seyfried to the Metropolitan Board of Zoning Appeals, Board I "; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 307, 2006. Introduced by Councillors Sanders and Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which clarifies and formally creates the Indianapolis Landmark Building Preservation Fund created by Proposal No. 489, 1999 (Fiscal Ordinance No. 99, 1999)"; and the President referred it to the Administration and Finance Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 308-313, 2006, PROPOSAL NOS. 314-318, 2006, PROPOSAL NO. 319, 2006 and PROPOSAL NO. 320, 2006. Introduced by Councillor Mahern. Proposal Nos. 308-313, 2006, Proposal Nos. 314-318, Proposal No. 319, 2006, and Proposal No. 320, 2006 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 21, 28 and May 4, 2006. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 69-81, 2006, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 69, 2006.

2005-ZON-203

8035 & 8100 WEST THOMPSON ROAD (Approximate Address), INDIANAPOLIS  
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 22.

BBP, LIMITED PARTNERSHIP, by Philip A. Nicely, requests a rezoning of 35.4 acres, being in the I-4-S District, to the C-S classification to provide for selected permitted uses in the C-6 and I-4-S districts, office uses and equipment rental or sales.

REZONING ORDINANCE NO. 70, 2006.

2005-ZON-206

5250 EAST STOP 11 ROAD (Approximate Address), INDIANAPOLIS  
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25.

METRO ACQUISITIONS, LLC, by Joseph D. Calderon, requests a rezoning of 11.43 acres, being in the SU-1 District, to the HD-2 classification to provide for the construction of medical office buildings and/or other hospital related uses.

REZONING ORDINANCE NO. 71, 2006.

2005-ZON-856

1431-1511 WINDERMIRE STREET AND 4039 OTTERBEIN AVENUE (Approximate Address),  
INDIANAPOLIS  
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 23.

UNIVERSITY OF INDIANAPOLIS, by Eugene Valanzano, requests a rezoning of 1.27 acres being in the D-4 District, to the UQ-1 classification, to provide for the expansion of an off-street parking lot.

REZONING ORDINANCE NO. 72, 2006.

2006-ZON-002

416 SOUTH FRANKLIN ROAD (Approximate Address), INDIANAPOLIS  
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 21.

M & K SERVICES, by Robert V. Clutter, requests a rezoning of 1.37 acres, being in the D-A District, to the I-2-S classification to provide for light industrial uses.

REZONING ORDINANCE NO. 73, 2006.

2006-ZON-007

1441 AND 1443 EVERETT STREET (Approximate Address), INDIANAPOLIS  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, by David Kingen, requests a rezoning of 0.114 acre, being in the C-3 (W-5) District, to the SU-1 (W-5) classification to provide for the expansion of a religious use.

REZONING ORDINANCE NO. 74, 2006.

2006-ZON-801

2705 EAST THOMPSON ROAD (Approximate Address), INDIANAPOLIS  
PERRY TOWNSHIP, COUNCILMANIC DISTRICT #24

JEFFERY R. & DAWN BARNETT request a rezoning of 2.787 acres, being in the D-A District, to the D-2 classification to provide for a single-family residential subdivision.

REZONING ORDINANCE NO. 75, 2006.

2006-ZON-001

3433 CENTRAL AVENUE (Approximate Address), INDIANAPOLIS  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

LAND ECONOMICS, INC, by Jeffrey M. Bellamy, Esq, requests a rezoning of 4.7 acres, being in the D-3 District, to the D-8 classification to legally establish a multi-family residential development.

REZONING ORDINANCE NO. 76, 2006.

2006-ZON-011

1306, 1312, 1314, 1315, 1318, 1319, 1321, 1322, 1324, 1328, 1329, 1332, 1333, 1334, 1339, 1349, 1340, 1342, 1343, 1346, 1347, 1348, 1349, 1350, 1353, 1357, 1361, 1365, 1367 AND 1375 SILVER AVENUE AND 1233, 1235, 1239, 1241, 1242, 1245, 1249, 1250, 1251, 1301, 1303, 1305, 1307, 1309, 1315, 1317, 1321, 1327, 1335 AND 1339 BRIDGE STREET AND 1102 YORK STREET (Approximate Addresses), INDIANAPOLIS  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19.

ELI LILLY AND COMPANY, by Eugene Valanzano, requests a rezoning of 8.692 acres, being in the C-1 and D-5 Districts, to the I-3-U classification to provide for the expansion of Industrial uses.

REZONING ORDINANCE NO. 77, 2006.

2006-ZON-012 (Amended)

603, 605, AND 613 EAST MARKET STREET (Approximate Address), INDIANAPOLIS  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

JIM NATHAN, requests a rezoning of 0.33 acre, being in the I-3-U (RC) (FF) District, to the CBD-2 (RC) (FF) classification to provide for a tavern use.

REZONING ORDINANCE NO. 78, 2006.

2006-ZON-015

7108 COFFMAN ROAD (Approximate Address), INDIANAPOLIS  
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1.

ONE VISION IN CHRIST COMMUNITY BAPTIST CHURCH requests a rezoning of 0.5199 acres, being in the SU-1 District, to the C-1 classification.

REZONING ORDINANCE NO. 79, 2006.

2006-ZON-020

520 NORTH PARK AVENUE (Approximate Address), INDIANAPOLIS  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

DINMONT DEVELOPMENT, LLC by Aaron Dixon, requests a rezoning of 0.083 acre, being in the I-3-U District, to the D-8 classification to provide for the redevelopment of the single-family dwelling on the property.

REZONING ORDINANCE NO. 80, 2006.

2005-ZON-174

10505 EAST EDGEWOOD AVENUE (Approximate Address), INDIANAPOLIS  
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25.

May 15, 2006

FRANKLIN TOWNSHIP COMMUNITY SCHOOL CORPORATION, by John A. Kitley, requests a rezoning of 61.152 acres, being in the D-A District, to the SU-2 classification to provide for the construction of a middle school.

REZONING ORDINANCE NO. 81, 2006.

2005-ZON-212

6205 AND 6209 ENGLISH AVENUE (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 21.

GREINER BROTHERS, INC., by Philip A. Nicely, requests a rezoning of 1.66 acres, being in the D-5 District, to the C-ID classification to provide for the expansion of a mechanical contractor use on an abutting property.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 169, 2006. Councillor Bowes reported that the Community Affairs Committee heard Proposal No. 169, 2006 on May 8, 2006. The proposal, sponsored by Councillors Bowes and Conley, approves the issuance of Marion County, Indiana, Family and Children Fund General Obligation Notes, Series 2006, in an original aggregate principal amount not to exceed \$32,250,000 and appropriating the proceeds of the borrowing. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Salisbury said that he opposes financing an annual bill with a long-term bond, as it is like paying a light bill with a credit card. He said that he also is opposed because it raises property taxes.

Councillor Bowes stated that the Council voted last year to keep the appropriation for the Office of Family and Children (OFC) at the 2004 level. However, they are forced under state law to provide money to the OFC, or the federal government can take the money anyway, which takes money away from vital programs. He said that they had hoped that the General Assembly would take action to help the counties not incur these increases, but that did not happen. This is a case where the state decides how the local government spends their money.

Barbara Lawrence, executive director of the Indianapolis Bond Bank, stated that when they realized there was a shortfall in OFC, they felt this was the best mechanism to pay it off with a tax rate levied in 2007. Councillor Salisbury asked if this tax will only be levied for one year. Ms. Lawrence said that this is correct. She said they are allowed by state law to issue bonds for a 10-year period, but it makes better sense to do it in one year. Councillor Salisbury asked if they will have to do the same again next year. President Gray said that they may have to, unless something changes in the State legislature.

Councillor Bradford said that they have been running OFC like this for many, many years. If the Council cuts their budget every year, then they have to re-appropriate more money to make ends meet, anyway. He said that he supports this proposal because he believes Juvenile Court Judge Marilyn Moores is doing the best job she can with what she has been given. He said that this problem is not going to go away, and the City has been going to the legislature for years to get changes, but this is an issue with problems on both sides of the aisle.

Councillor Bowes said that they could have included extra funds in the budget last year, but instead kept it level. He said that they could have still been short, because there is no way to make a prediction. Because of the increase in people being serviced and the lack of control, even an increase in appropriations might not have been enough.

Councillor Mahern asked if there is any way to insure that this additional amount will be enough. Councillor Bowes said that there is no way to accurately predict, depending on the number of children OFC serves. If the numbers stay level, they will not have to ask for more.

Councillor Borst said that this is one area where both parties need to really work together on. He said that dynamics are changing in the legislature, and they need to continue to dialogue with the state regarding this matter. He said that it is not fair that the state spends the money, but the City has to pay the bill.

Councillor Bradford said that he does not see the bills going down, as there is an increase in the number of CHIN (Children in Need of Services) cases every year. He said that they need to be prepared for the worst and save as much money in reserve as they can in case there are changes in the law again.

President Gray called for public testimony at 8:25 p.m. There being no one present to testify, Councillor Bowes moved, seconded by Councillor Conley, for adoption. Proposal No. 169, 2006 was adopted on the following roll call vote; viz:

*23 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Sanders, Talley*  
*5 NAYS: Cain, Plowman, Salisbury, Schneider, Speedy*  
*1 ABSENT: Langsford*

Proposal No. 169, 2006 was retitled SPECIAL RESOLUTION NO. 35, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 2006

A SPECIAL RESOLUTION approving the issuance of "Marion County, Indiana, Family and Children Fund General Obligation Notes, Series 2006" in an original aggregate principal amount not to exceed Thirty Three Million Three Hundred Sixty Thousand Dollars (\$33,360,000) in accordance with IC 12-19 and IC 5-1.4-8-6, as amended, and appropriating the proceeds of the borrowing.

WHEREAS, the Marion County Director of the Office of Family and Children (the "County Director") has determined that the Family and Children Fund of Marion County, Indiana (the "Fund"), will face a deficit of approximately \$32,000,000 as of December 31, 2006; and

WHEREAS, the Department of Child Services certified the estimate and filed it with the Executive of Marion County, Indiana (the "County Executive"), the Auditor of Marion County, Indiana and the State Department of Local Government Finance; and

WHEREAS, the Council hereby finds and determines that it will be necessary for the County to borrow an amount not to exceed Thirty Three Million Three Hundred Sixty Thousand Dollars (\$33,360,000) from The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") and to issue general obligation notes of the County in accordance with Indiana Code § 5-1.4-8-6, and Indiana Code § 12-19-7, each as amended, in the aggregate principal amount not to exceed Thirty Three Million Three Hundred Sixty Thousand Dollars (\$33,360,000) (the "Notes"), in order to eliminate the anticipated shortfall in the Fund during the fiscal year ending December 31, 2006, to pay for all expenses related thereto, to pay for all or a portion of the interest on the Notes, as it comes due, and to pay for all of the costs of issuance of the Notes (the "Project"); and

WHEREAS, the Council hereby finds and determines that the County will not have sufficient moneys available or provided for in the existing budgets and tax levies which may be applied to pay for the Project, making it a necessity for the making of the additional appropriation hereinafter set out; and

WHEREAS, notice of a public hearing on such additional appropriation has been duly given by publication as required by law, and the hearing on said additional appropriation has been held, at which

*May 15, 2006*

all taxpayers had an opportunity to appear and express their views as to such additional appropriation; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The County is hereby authorized and directed to borrow an amount not to exceed Thirty Three Million Three Hundred Sixty Thousand Dollars (\$33,360,000) from the Bond Bank to pay for the Project, including any expenses of the Project incurred by the Bond Bank prior to the issuance of the Notes. In order to procure this loan, the County Executive is hereby authorized and directed to have prepared and to issue and sell to the Bond Bank negotiable general obligation notes of the County, to be designated as "Marion County, Indiana, Family and Children Fund General Obligation Notes, Series 2006," in the aggregate principal amount not to exceed Thirty Three Million Three Hundred Sixty Thousand Dollars (\$33,360,000) (the "Notes"). Principal and interest on the Notes shall be paid from ad valorem property taxes levied and collected by the County, is anticipated to require a tax rate levy increase over the 2005 tax rate of not to exceed \$0.0904 per \$100 of assessed value for 2007, based on an estimated assessed value for the County of \$38,181,450,228 and the Notes bearing interest at a rate of 4.60% per annum, and is anticipated to require a tax rate levy increase over the 2006 tax rate of not to exceed \$0.0530 per \$100 of assessed value for 2007, based on an estimated assessed value for the County of \$38,181,450,228 and the Notes bearing interest at a rate of 4.60% per annum. The Notes shall be issued in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any integral multiple of Five Thousand Dollars (\$5,000) in excess of One Hundred Thousand Dollars (\$100,000), and maturing in the amounts and on the dates determined by the Controller of the City of Indianapolis, Indiana, as the Director of the Office of Finance and Management of the County (the "Director of the OFMC"), the County Executive, and the Bond Bank; provided, however, the Notes shall have a final maturity which is no later than December 31, 2008; provided, further, however, at or after the date such Notes are issued, the Director of the OFMC and the County Executive may extend the final maturity of the Notes to a date which is no later than December 31, 2011, if the Director of the OFMC and the County Executive determine extension of the final maturity is necessary or desirable. The Notes may be subject to optional redemption prior to final maturity in accordance with the terms and conditions identified in the Qualified Entity Purchase Agreement (as hereinafter defined). The Notes shall bear a maximum interest rate not exceeding eight percent per annum (8.00%) (such rate to be determined pursuant to negotiations with the Bond Bank), and will be purchased by the Bond Bank for a discount not greater than one percent (1.00%); provided such discount shall not take into account any costs of the Project paid by the Bond Bank prior to the issuance of the Notes and any costs related to the issuance of the Notes paid by the Bond Bank. The Notes will be issued to the Bond Bank pursuant to the Qualified Entity Purchase Agreement and be subject to the provisions set forth in this resolution and such additional terms and conditions as agreed to by the the County Executive, the Director of the OFMC, the Chair of the Bond Bank and the Executive Director of the Bond Bank and set forth in the Qualified Entity Purchase Agreement.

SECTION 2. A qualified entity purchase agreement in form and substance acceptable to the County Executive and the Director of the OFMC (the "Qualified Entity Purchase Agreement"), be, and hereby is, approved, and the County Executive and the Director of the OFMC are hereby authorized and directed to execute and deliver the Qualified Entity Purchase Agreement in form and substance acceptable to them and consistent with the terms and conditions set forth in this ordinance.

SECTION 3. If, when the Notes or any portion thereof shall have become due and payable in accordance with their terms and the whole amount of the principal and interest so due and payable upon the Notes or such portion thereof then outstanding shall be paid, or (1) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in such event the Notes or such portion thereof shall no longer be deemed outstanding or an indebtedness of the County.

SECTION 4. In order to preserve the exclusion from gross income of interest on the Notes under federal law, the County represents, covenants and agrees that, to the extent necessary to preserve such exclusion:

SECTION 5. No person or entity or any combination thereof, other than the County or any other governmental unit ("Governmental Unit") within the meaning of Section 141(b)(6) and Section 150(a)(2) of the Internal Revenue Code of 1986, as amended and as in effect on the date of delivery of the Notes (the "Code"), will use any proceeds of the Notes or property financed by such proceeds other than as a member of the general public; and no person or entity or any combination thereof other than the County

or any other Governmental Unit will own any property financed out of the proceeds of the Notes or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as a take-or-pay or other type of output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use of such property by the public at large;

SECTION 6. No Note proceeds will be lent to any entity or person; and no Note proceeds will be transferred directly or indirectly or deemed transferred to a person other than a Governmental Unit in a fashion that would in substance constitute a loan of such Note proceeds;

SECTION 7. The County will not take any action or fail to take any action with respect to the Notes that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Notes pursuant to Section 103(a) of the Code, and the Council will not act or permit any actions by officers or officials of the County that would in any manner adversely affect such exclusion; the County further covenants that it will not make any investment or do any other act or thing during the period that any Note is outstanding hereunder which would cause any Note to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Notes; and the County shall comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable;

SECTION 8. All officers, employees and agents of the County are hereby authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the County as of the date that the Notes are issued, and to make covenants on behalf of the County evidencing the County's commitments made herein and, in particular, any and all appropriate officers, employees and agents of the County are authorized to certify and/or enter into covenants for the County regarding (i) the facts and circumstances and reasonable expectations of the County on the date that the Notes are issued and (ii) the representations and covenants made herein by the County regarding the amount and use of the proceeds of the Notes; and

SECTION 9. The County is hereby authorized and directed to employ consultants and attorneys from time to time to advise the County with respect to the requirements under federal law for the continuing preservation of the exclusion of interest on the Notes from gross income for purposes of federal income taxation.

SECTION 10. Notwithstanding any other provision of this Resolution, any of the covenants and authorizations contained in this Resolution (the "Tax Sections") which are designed to preserve the exclusion of interest on the Notes from gross income for purposes of federal income taxation (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 11. The proceeds from the sale of the Notes together with interest earnings thereon, in the amount not to exceed Thirty Five Million Dollars (\$35,000,000), are hereby appropriated in the Fund to pay for the Project. A certified copy of this Resolution, together with such actions and other proceedings as may be necessary, shall be filed by the Director of the OFMC, along with the proper report to the State Department of Local Government Finance.

SECTION 12. The County Executive, the Director of the OFMC and any other officer of the County are hereby authorized and directed, in the name and on behalf of the County, to execute and deliver such documents and to take such actions as such person deems necessary or desirable to effect the purposes of this Resolution, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

SECTION 13. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15, 36-3-4-16 and 36-3-4-17, each as amended.

PROPOSAL NO. 241, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 241, 2006 on April 25, 2006. The proposal, sponsored by Councillors Plowman and Sanders, approves an additional appropriation of \$538,000 in the Budget of the Marion County Election Board (Section 102 HAVA Reimbursement Fund) to pay for expenses related to the refinancing of the county's voting machines and to cover the estimated interest payments and attorney fees throughout 2006, funded by the Help America Vote Act fund. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford asked if this is funding to pay for the current machines. Councillor Sanders said that this is correct. Councillor Bradford said that he has no faith in the current contract or vendor, and the machines they have are still not certified and are not handicapped accessible. Councillor Sanders said that she also has a lack of confidence in the current vendor, but the City must still live up to their contract. She added that there are many things going on behind the scenes to correct the problems with the current machines and contract.

Councillor Cockrum said that after hand-counting school board ballots, which they were originally assured these machines could handle, he is not confident in these machines either. He said that he will support the proposal because of honoring the contract, but they need to resolve the issue of ballot hand-counting.

Councillor Borst asked if there are two different funds for these machines or just one. He said that he thought there was another grant and he asked if this is it. Councillor Sanders said that this is a one-time distribution, and there have already been previous year grants. Councillor Nytes added that this is the last grant from the HAVA fund. Councillor Borst asked if there is another fund from which this project draws grant monies. Kobi Wright, Corporation Counsel, stated that they are still waiting on a few more funds from the state.

Councillor Bradford said that the vendor has not honored their contract, and he does not therefore see a reason for the City to have to honor it either. He opposes the proposal.

President Gray called for public testimony at 8:33 p.m. There being no one present to testify, Councillor Sanders moved, seconded by Councillor Plowman, for adoption. Proposal No. 241, 2006 was adopted on the following roll call vote; viz:

*24 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Speedy, Talley*  
*4 NAYS: Bradford, Gibson, Salisbury, Schneider*  
*1 ABSENT: Langsford*

Proposal No. 241, 2006 was retitled FISCAL ORDINANCE NO. 47, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Five Hundred Thirty Eight Thousand Dollars (\$538,000) in the Section 102 HAVA Reimbursement Fund for purposes of the Marion County Election Board and reducing unappropriated fund balance.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (a) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Election Board to pay expenses related to the refinance of the county's voting machines.

SECTION 2. The sum of Five Hundred Thirty Eight Thousand Dollars (\$538,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY ELECTION BOARD</u>	<u>SECTION 102 HAVA REIMBURSEMENT FUND</u>
3. Other Services and Charges	<u>538,000</u>
TOTAL INCREASE	538,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>SECTION 102 HAVA REIMBURSEMENT FUND</u>
Unappropriated and Unencumbered	
Section 102 HAVA Reimbursement Fund	<u>538,000</u>
TOTAL DECREASE	538,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 242, 2006. Councillor Brown reported that the Parks and Recreation Committee heard Proposal No. 242, 2006 on May 4, 2006. The proposal, sponsored by Councillors Brown, Cockrum and Talley, approves an appropriation of \$115,000 in the 2006 Budget of the Department of Parks and Recreation (Park General Fund) to pay for a portion of the construction costs associated with the Earth Discovery Center, a state of the art interactive environmental learning center available to audiences young and old throughout the County, funded by interest earned on Lilly Grants. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:35 p.m. There being no one present to testify, Councillor Brown moved, seconded by Councillor Cockrum, for adoption. Proposal No. 242, 2006 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullallah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 NAYS:*  
*2 NOT VOTING: Bradford, Nytes*  
*1 ABSENT: Langsford*

Proposal No. 242, 2006 was retitled FISCAL ORDINANCE NO. 48, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating One Hundred Fifteen Thousand Dollars (\$115,000) in the Park General Fund for purposes of the Department of Parks and Recreation, and reducing unappropriated fund balance.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, to appropriate interest earned on Lilly Grants for a portion of construction costs associated with the Earth Discovery Center.

SECTION 2. The sum of One Hundred Fifteen Thousand Dollars (\$115,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.



May 15, 2006

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
4. Capital Outlay	<u>115,000</u>
TOTAL INCREASE	115,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>115,000</u>
TOTAL REDUCTION	115,000

SECTION 5. The projected Dec. 31, 2006, fund balance for the Park General Fund is as follows:

Projected fund balance at the end of 2005	2,267,867
Revenues to be received in 2006, including this proposal	<u>23,876,015</u>
Total Funds Available	26,143,882
Approved 2006 appropriations	24,533,986
Proposed additional appropriation (this proposal)	<u>115,000</u>
Total Requirements	24,648,986
<b>Estimated Fund Balance December 31, 2006</b>	<b>1,494,896</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 245, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 245, 2006 on April 19, 2006. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$23,083 in the 2006 budget of the Marion County Prosecutor (State and Federal Grants Fund and the County Grants Fund) to partially fund the salary and benefits for a domestic violence prosecutor through a subgrant from IPD's "Grant to Encourage Arrest" from the US Department of Justice's Office of Violence Against Women. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:36 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal No. 245, 2006 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
0 NAYS:  
2 NOT VOTING: *Gray, Plowman*  
1 ABSENT: *Langsford*

Proposal No. 245, 2006 was retitled FISCAL ORDINANCE NO. 49, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Twenty Three Thousand and Eighty Three Dollars (\$23,083) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (c) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to partially fund the salary and benefits for a domestic violence prosecutor through a subgrant from IPD's "Grant to Encourage Arrest" from the US Department of Justice's Office of Violence Against Women.

SECTION 2. The sum of Twenty Three Thousand and Eighty Three Dollars (\$23,083) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	23,083
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	23,083

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>23,083</u>
TOTAL REDUCTION	23,083

SECTION 5. No Local Match.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 165, 2006. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 165, 2006 on April 12, 2006. The proposal, sponsored by Councillor Nytes, is an inducement resolution for Camby Woods, L.P. in an amount not to exceed \$14,000,000 which consists of the construction of a 220-unit apartment complex to be known as Camby Woods Apartments located at 7700 Camby Road (District 22). By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum said that the neighbors objected to the zoning case that made this property multi-family. He said that Decatur Township is the smallest in population and already has more government subsidized housing than there is demand for. He said that this area is not served by IndyGo public transportation and he asked Councillors to oppose the project and support the neighborhood's wishes.

Councillor Speedy asked for consent to abstain to avoid the appearance of a conflict of interest. Consent was given.

Councillor Salisbury said that many Section 42 housing projects are appealing their assessed value of properties based on rent levels, and some of these assessed values have been cut in half. He said that this puts a bigger tax burden on other taxpayers in the community.

Councillor Nytes said that Councillor Salisbury is speaking mostly of Center Township where assessments were lowered to help some stay fluid. She said that this development pro forma meets the assessed value obligations. Councillor Cockrum asked if that commitment could be made in writing. Dan Johnson, representing the developer, stated that he cannot make that comment until an assessment has been done, and it would depend on the amount of the assessment. Councillor Nytes asked if the property is appraised at a \$15 million assessment, as is projected in the pro forma, if the developer could honor that. Mr. Johnson said that they would.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 165, 2006 failed due to the following indecisive roll call vote; viz:

*14 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley*

*13 NAYS: Borst, Bradford, Cain, Cockrum, Day, Franklin, Keller, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider*

*1 NOT VOTING: Speedy*

*1 ABSENT: Langsford*

President Gray stated that the proposal will remain on the Council calendar as unfinished business. Councillor Bradford asked for clarification. He asked if 15 votes are needed either one way or the other for the vote to be declared decisive. President Gray said that this is correct.

#### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 184, 2006. Councillor Brown reported that the Parks and Recreation Committee heard Proposal No. 184, 2006 on May 4, 2006. The proposal, sponsored by Councillors Moriarty Adams, Gray, Brown, Conley and Talley, amends Chapter 631, Article 1 of the Revised Code to add a new section limiting access of persons required to and or listed on the Indiana State Sex Offender Registry, as a result of a conviction of a child related offense, to public park facilities and playground areas. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Abdullah said that it is important to protect children, but he believes they are over-reaching with this proposal. He asked how it will be monitored and enforced and if it will withstand constitutional scrutiny without violating civil rights. Councillor Moriarty Adams stated that the proposal was crafted by legal counsel and was reviewed by the Office of Corporation Counsel. She said that she relies on them to draft language that will meet constitutional muster. There have been three other pieces of legislation passed in the last few years that were appealed, and two of the three passed constitutional muster. She said that she believes as it is written, this would also meet constitutional requirements.

Councillor Schneider said that if the Indiana Civil Liberties Union (ICLU) wants to sue the City for protecting its kids, let them sue. He said that he had some concerns about prosecutorial options, but County Prosecutor Carl Brizzi answered his questions in committee to his satisfaction. He supports the proposal whole-heartedly.

Councillor Bradford said that he appreciates the amendment that was made, and he would like to see further amendments later, but he will support the proposal.

Councillor Pfisterer said that she had some issues with regards to double jeopardy and fining instead of charging with a crime, but with the amendment offered by Mr. Brizzi, she is prepared to support the proposal.

Councillor Speedy said that he would hope the passage of this proposal would not give parents a false sense of security and he encouraged parents to watch their kids closely in public, regardless of whether or not this passes.

Councillor Borst said that it is hard to see how this can be enforced, and said that the state law is residential based and not based on public places.

Councillor Nytes said that there has been research to document that most sex offenders are let out before the completion of their sentence, and many of the re-offending crimes are committed on family members in their own homes. She said that she hopes steps can be taken to address these statistics as well.

Councillor Gibson said that the Council needs to do what is right to protect children and it is worth the risk in court.

Councillor Keller asked for an explanation regarding the notification procedure. Councillor Brown stated that Sheriff Anderson will notify offenders along with the normal monthly visiting procedures.

Councillor Brown moved, seconded by Councillor Talley, for adoption. Proposal No. 184, 2006 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullallah, Borst, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*2 NAYS: Bowes, Mansfield*  
*0 NOT VOTING:*  
*1 ABSENT: Langsford*

Proposal No. 184, 2006 was retitled GENERAL ORDINANCE NO. 51, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 2006

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 631, Article 1, of the Revised Code of the Consolidated City and County to add restrictions that limit access of persons required to and or listed on the Indiana State Sex Offender Registry, as a result of a conviction of a child related offense, to certain park facilities and playground areas and providing penalties for violations of this section as is hereby amended.

WHEREAS, the Indiana State Legislature has found that sexually violent predators, as defined by IC 35-38-1-7.5, present a continuing danger to the public sufficient to require that such persons be monitored on parole for the remainder of their lives pursuant to IC 35-50-6-1; and

WHEREAS, the Council finds that, effective July 1, 2006, any person deemed to be a offender against children and required to register under IC 5-2-12 or who have been found by a court to be a sexually violent predator, under IC 35-38-1-7.5, or the law of any jurisdiction that identifies the person as being likely to repeatedly commit a sex offense, or has been convicted of one (1) or more of the following offenses:

- a) Child molesting, under IC 35-42-4-3;
- b) Child exploitation (IC 35-42-4-4(b));
- c) Child solicitation (IC 35-42-4-6);
- d) Child seduction (IC 35-42-4-7);
- e) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age; or

- f) An offense in another jurisdiction that is substantially similar to an offense described in clauses (a) through (e);

represent a continuing threat to the health and safety of children; and

WHEREAS, public parks and playgrounds are provided for the use, education, training, entertainment and enjoyment of children and families of children and such venues are intended to be and should be free of the dangers presented to their health and welfare by persons so identified and required to register under IC 5-2-12; and

WHEREAS, the Council finds that the public safety and welfare of the community, particularly children, will be best served by prohibiting persons required to register under IC 5-2-12 for one (1) or either of the offenses hereinabove be prohibited from going within one thousand feet (1000') of a public playground, recreation center, bathing beach, swimming or wading pool, sports field or facility, when children are present unless such person or persons are accompanied by an adult person who is not also required to register under IC 5-2-12.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 631 of the Revised Code of the Consolidated City and County is hereby amended by deleting the text that is stricken through and adding the language that is underlined as follows:

Sec. 631-106. Generally prohibited conduct.

(a) It shall be unlawful for any person deemed to be an offender against children and required to register under IC 5-2-12 or who have been found by a court to be a sexually violent predator, under IC 35-38-1-7.5, or the law of any jurisdiction that identifies the person as being likely to repeatedly commit a sex offense, or has been convicted of one (1) or more of the following offenses:

- a) Child molesting, under IC 35-42-4-3;
- b) Child exploitation (IC 35-42-4-4(b));
- c) Child solicitation (IC 35-42-4-6);
- d) Child seduction (IC 35-42-4-7);
- e) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age; or
- f) An offense in another jurisdiction that is substantially similar to an offense described in clauses (a) through (e);

to be within one thousand feet (1000') of a public playground, recreation center, bathing beach, swimming or wading pool, sports field or facility, when children are present unless such person or persons are accompanied by an adult person who is not also required to register under IC 5-2-12.

(b) It shall be unlawful for any person required to register under IC 5-2-12 to bring or accompany any other person required to register under IC 5-2-12 to a public playground, park, recreation center, bathing beach, swimming or wading pool, sports field or facility, when children are present or are expected to be present at such facility or venue. However, this section shall not apply to any person whose name has been removed from the registry by act of a court or by expiration of the term such person is required to remain on the registry pursuant to IC 5-2-12.

~~(a c)~~ It shall be unlawful for any person to use profane, obscene, lewd, threatening or abusive language; or to fight, quarrel or throw any stone or missile; or to behave in a loud or disorderly manner; or to commit any offense against decency, good morals or contrary to law; or to litter, dump or deposit any garbage or other offensive substance or article upon any park, playground or any other property under the control or supervision of the department of parks and recreation, or on any property leased or loaned or on which a concession has been granted by it; or to use or participate with others in using any such places for any subversive, seditious or other unlawful purposes.

~~(b d)~~ No unlawful, threatening, abusive, profane, lewd or indecent language, gesture or conduct shall be permitted in or in the vicinity of any bathing beach, wading or swimming pool, recreation center or playground; nor shall any person who is lawfully at any such place be so annoyed or unlawfully touched.

(e) A person who violates any provision of Sec. 631-106 (a) or (b) shall be guilty of an infraction punishable by:

1. A fine not exceeding six hundred dollars (\$600) for a first violation.
2. A fine not exceeding one thousand dollars (\$1,000) for a second violation within one (1) year.
3. A fine not exceeding two thousand five hundred dollars (\$2,500) for each additional violation within one (1) year.

(f) Fines under this ordinance shall not apply when the prohibited conduct is the subject of a new criminal offense under any applicable state or federal statute or when the prohibited conduct is the basis for the revocation of any conditions of parole or probation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with I.C. 36-3-4-14.

Councillor Moriarty Adams thanked Melina Kennedy for proposing this idea and Prosecutor Brizzi for helping to amend and clarify the effort.

Councillor Sanders said that her vote was intended to protect children, but she would hope some consideration would also be given to rehabilitation and hopes this ordinance is not over-reaching civil rights.

Councillor Bradford thanked sponsor Councillor Moriarty Adams and Chairman Brown for helping to facilitate this proposal.

PROPOSAL NO. 170, 2006. Councillor Conley reported that the Law Enforcement Consolidation Committee heard Proposal No. 170, 2006 on April 26, 2006. The proposal, sponsored by Councillor Borst, is an amendment to General Ordinance No. 110, 2005 establishing a consolidated law enforcement agency allowing the Minority Leader to appoint a designee to serve on the Advisory Committee. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Brown, to return Proposal No. 170, 2006 to committee.

Councillor Keller asked why they want to return it to committee when it passed unanimously out of committee. Councillor Conley said that he believes Councillor Borst should appear before the committee instead of just sending a letter. Councillor Keller asked why a letter will not suffice from a long-time respected member of this body.

Councillor McWhirter said that this proposal was discussed thoroughly in committee and it was also discussed why Councillor Borst could not attend. There is no rule that says a Councillor must appear before a committee for their proposal to be passed. Councillor Conley said that it is not a rule, but is a matter of courtesy.

Councillor Borst said that he thought contacting the committee members was enough or he would have been there. He said that he opposes the motion to return to committee.

Councillor McWhirter said that this was thoroughly discussed, and Councillor Borst had a conflict with his veterinary practice and his livelihood and income is important and he accommodated the committee to not have to change their agenda or meeting time by sending the letter. Councillor Conley said that he is not disputing that Councillor Borst's income is important, but the committee would like him to appear before them as a courtesy.

Proposal No. 170, 2006 was returned to committee on the following roll call vote; viz:

*15 YEAS: Abdullallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley*  
*13 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*  
*1 ABSENT: Langsford*

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 203 and 247-259, 2006 on March 27, 2006. He asked for consent to vote on Proposal Nos. 248-259, 2006 together. Consent was given.

PROPOSAL NO. 203, 2006. The proposal, sponsored by Councillors Abdullallah and Conley, authorizes 20-minute loading zones on the southwest quadrant of Monument Circle, on the south side of West Market Street from Monument Circle to North Illinois Street and on the west side of South Meridian Street from Monument Circle to West Washington Street (District 15). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Conley moved, seconded by Councillor Abdullallah, to strike. Proposal No. 203, 2006 was stricken on the following roll call vote; viz:

*26 YEAS: Abdullallah, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 NAYS:*  
*2 NOT VOTING: Borst, Brown*  
*1 ABSENT: Langsford*

PROPOSAL NO. 247, 2006. The proposal, sponsored by Councillor Conley, requests a parking meter blackout on May 26, 2006, to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Abdullallah, for adoption. Proposal No. 247, 2006 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 NAYS:*  
*2 NOT VOTING: Brown, Gray*  
*1 ABSENT: Langsford*

PROPOSAL NO. 248, 2006. The proposal, sponsored by Councillors Nytes and Conley, authorizes a change in the preferential street at the intersection of 17th Street and New Jersey Street (District 9). PROPOSAL NO. 249, 2006. The proposal, sponsored by Councillors Nytes, Abdullallah, Mahern and Conley, authorizes the deletion of 45 degree angle, 90 degree angle, and 60 degree angle parking at various locations within the City of Indianapolis (Districts 9, 15, 19). PROPOSAL NO. 250, 2006. The proposal, sponsored by Councillors Keller, Langsford and Conley, authorizes a multi-way stop at the intersection of Bosart Avenue and Wentworth Boulevard (Districts 16, 21). PROPOSAL NO. 251, 2006. The proposal, sponsored by Councillors Borst and Conley, authorizes one-way restrictions on Weaver Avenue between Edwards Avenue and Windermire Street (District 23). PROPOSAL NO. 252, 2006. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Bentley Farms Subdivision (District 25). PROPOSAL NO. 253, 2006. The proposal, sponsored

by Councillors Plowman and Conley, authorizes intersection controls for the Feather Run Subdivision (District 25). PROPOSAL NO. 254, 2006. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Southport Green Subdivision, Section 2 (District 25). PROPOSAL NO. 255, 2006. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Harmony Subdivision, Section 1 (District 25). PROPOSAL NO. 256, 2006. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Waters Edge at Cummins Farm Subdivision, Section 3 (District 25). PROPOSAL NO. 257, 2006. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Moeller Estates at Wildwood Farms Subdivision, Section 1 (District 25). PROPOSAL NO. 258, 2006. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Keeneland Crest Subdivision, Sections 1, 2 and 3 (District 25). PROPOSAL NO. 259, 2006. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Glen Ridge South Subdivision, Sections 2 and 3 (District 25). By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Mahern, for adoption. Proposal Nos. 248-259, 2006 were adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*  
0 NAYS:  
2 NOT VOTING: *Brown, Talley*  
1 ABSENT: *Langsford*

Proposal No. 248, 2006 was retitled GENERAL ORDINANCE NO. 52, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	17 <sup>th</sup> St New Jersey St	New Jersey St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	17 <sup>th</sup> St New Jersey St	17 <sup>th</sup> St	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



May 15, 2006

Proposal No. 249, 2006 was retitled GENERAL ORDINANCE NO. 53, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-108, Manner of parking.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-108, Manner of parking, be and the same is hereby amended by the deletion of the following, to wit:

(b) Forty-five degree angles. Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of forty-five (45) degrees to the curb, or if there is no curb, then to the line of traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

Henry Street, north side, between Drover Street and Marion Avenue.

(c) Ninety-degree angles. Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of ninety (90) degrees to the curb, or if there is no curb, then to the line of traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

Massachusetts Avenue, between New York Street and Ohio Street;

Massachusetts Avenue, between Ohio Street and Vermont Street.

(d) Sixty-degree angles. Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of sixty (60) degrees to the curb, or if there is no curb, then to the line of traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

East Maryland Street, north side, between  
Alabama Street and Delaware Street.

Michriver Street, south side, from  
Winona Street to the deadend.

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-108, Manner of parking, be, and the same is hereby amended by the addition of the following, to wit:

(c) Ninety-degree angles. Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of ninety (90) degrees to the curb, or if there is no curb, then to the line of traveled roadway, shall be used, and vehicles shall not be parked otherwise thereon:

Massachusetts Avenue, on both sides, between New York Street and Vermont Street;

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 250, 2006 was retitled GENERAL ORDINANCE NO. 54, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Bosard Ave Wentworth Blvd	Wentworth Blvd	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Bosart Ave Wentworth Blvd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 251, 2006 was retitled GENERAL ORDINANCE NO. 55, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-342, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-342, One-way streets and alleys designated, be and the same is hereby amended by the addition of the following, to wit:

***NORTHBOUND***

Weaver Avenue, from Edwards Avenue to Windermire Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 252, 2006 was retitled GENERAL ORDINANCE NO. 56, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Bentley Farms Dr Bentley Farms Pl	Bentley Farms Dr	Stop
48	Bentley Farms Dr Shelbyville Rd	Shelbyville Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

May 15, 2006

Proposal No. 253, 2006 was retitled GENERAL ORDINANCE NO. 57, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
48	Combs Rd Feather Run Dr	Combs Rd	Stop
48	Eagle Trace Way Feather Run Dr (NB) Feather Run Dr (WB)	Eagle Trace Way Feather Run Dr (NB)	Stop
48	Eagle Trace Way Pheasant Ridge Dr	Eagle Trace Way	Stop
48	Pheasant Run Ct Pheasant Run Dr	Pheasant Run Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 254, 2006 was retitled GENERAL ORDINANCE NO. 58, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
48	Cadwell Cir Kentland Cir Kentland Dr	Kentland Dr	Stop
48	Donington Cir Kentland Dr	Kentland Dr	Yield
48	Kentland Dr Woodford Ln	Kentland Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 255, 2006 was retitled GENERAL ORDINANCE NO. 59, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49	Acton Rd Gathering Dr	Acton Rd	Stop
49	Crackling Dr Crackling Ln	Crackling Ln	Stop
49	Crackling Ln Gathering Dr	None (counterclockwise)	Yield
49	Crackling Ln Pavilion Dr	Crackling Ln	Stop
49	Firefly Way Gathering Dr	Gathering Dr	Stop
49	Gathering Cir Gathering Dr	Gathering Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 256, 2006 was retitled GENERAL ORDINANCE NO. 60, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Grassy Bank Dr Tadpole Ct	Grassy Bank Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

May 15, 2006

Proposal No. 257, 2006 was retitled GENERAL ORDINANCE NO. 61, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Laurel Cherry Ln Whistlewood Ln	Whistlewood Ln	Stop
41	Miller Dr Southeastern Ave Wildwood Farms Blvd	None	Signal
41	Whistlewood Dr Wildwood Farms Blvd	Wildwood Farms Blvd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 258, 2006 was retitled GENERAL ORDINANCE NO. 62, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	Ashview Dr Nuckols Ln	None	All Way Stop
47	Buck Pond Ct Nuckols Ln	Nuckols Ln	Stop
47	Cave Springs Ct Nuckols Ln	Nuckols Ln	Stop
47	Glencrest Dr Nuckols Ln	Nuckols Ln	Stop
47	Glencrest Dr Stonereath Ct	Stonereath Ct	Stop
47	Nuckols Ln Southern Mist Dr	None	All Way Stop
47	Nuckols Ln Stop 11 Rd	Stop 11 Rd	Stop

47	Shadwell Ct Southern Mist Dr	Southern Mist Dr	Stop
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SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 259, 2006 was retitled GENERAL ORDINANCE NO. 63, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Clydesdale Ln Sunset Point Dr	Sunset Point Dr	Stop
41	Highpoint Cir Sunset Point Way	Sunset Point Way	Stop
41	Sunset Point Way Sunset Ridge Pkwy	Sunset Ridge Pkwy	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Cain in memory of Joseph B. Mattingly; and
- (2) Councillors Randolph and Oliver in memory of James E. Mitchell and Stephen E. Thomas; and
- (3) Councillor Randolph in memory of Rev. Joseph G. Wick and Emma V. Frizzell; and
- (4) Councillor Nytes in memory of Mike Traynor and Ollie Crawford; and
- (5) Councillors Mansfield and Langsford in memory of Sgt. Joseph E. Proctor and Capt. Brian S. Letendre; and
- (6) Councillor Sanders in memory of Dr. Kenneth Ossip; and
- (7) Councillors Conley and Gray in memory of Dickie Hickman; and
- (8) Councillor Day in memory of Ron Branham; and
- (9) Councillors Oliver and Talley in memory of William B. Torrence, Jr., Shandra Pope, Pompey Hawkins, Ernest Green and Graham Edward Martin; and
- (10) Councillors Gray, Brown, Pfisterer, Randolph, Langsford and McWhirter in memory of Lt. Edward S. Rogers; and
- (11) Councillor Pfisterer in memory of Robert McCaughey and Charles Hoover; and
- (12) All Councillors in memory of Richard Anderson, Gale Darland, Bernard McMichael, Johnny Nevilles, William Whitsett and James Mitchell.

*May 15, 2006*

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Joseph B. Mattingly, James E. Mitchell, Stephen E. Thomas, Rev. Joseph G. Wick, Emma V. Frizzell, Mike Traynor, Ollie Crawford, Sgt. Joseph E. Proctor, Capt. Brian S. Letendre, Dr. Kenneth Ossip, Dickie Hickman, Ron Branham, William B. Torrence, Jr., Shandra Pope, Pompey Hawkins, Ernest Green, Graham Edward Martin, Lt. Edward S. Rogers, and Robert McCaughey and Charles Hoover, and Richard Anderson, Gale Darland, Bernard McMichael, Johnny Nevilles and William Whitsett and James Mitchell. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:19 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 15th day of May, 2006.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

